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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,167	09/12/2003	Dureseti Chidambarao	FIS920030185US1	2166
29625	7590	10/19/2004	EXAMINER	
MCGUIRE WOODS LLP 1750 TYSONS BLVD. SUITE 1800 MCLEAN, VA 22102-4215			PERKINS, PAMELA E	
			ART UNIT	PAPER NUMBER
			2822	

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/605,167

Applicant(s)

CHIDAMBARRAO ET AL.

Examiner

Pamela E Perkins

Art Unit

2822

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-18 is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 7-13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/28/04</u> <i>6-28-M</i> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is in response to the filing of the request for reconsideration on 22 July 2004. Claims 1-18 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Doyle et al. (6,228,694).

Doyle et al. disclose a method for manufacturing a semiconductor device where a semiconductor layer is formed on a substrate; forming an oxide layer between the semiconductor layer and the substrate; expanding a first region of the substrate to push up a first portion of the semiconductor layer; compressing a second region of the substrate to pull down a second portion of the semiconductor layer; forming an N type device over the first portion of the semiconductor layer; and forming a P type device over the second portion of the semiconductor layer (Fig. 2A & 2B; col. 3, lines 27-63; col. 5, lines 5-25). Doyle et al. further disclose the step of expanding the first region comprises a step of ion-implanting an expansion element in the first region of the substrate, wherein the expansion element is ion-implanted at an implantation concentration of approximately 1×10^{14} atoms/cm² and 5×10^{16} atoms/cm² to at an

implantation energy of approximately 30 KeV to 300 KeV and the concentration peak of the implanted expansion element is confined within the first region (col. 8, lines 4-56).

Doyle et al. also disclose the expansion element as O₂ (col. 8, lines 17-20).

Allowable Subject Matter

Claims 7-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 14-18 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: prior art does not anticipate, teach, or suggest a method of manufacturing a semiconductor device where a semiconductor layer is formed on a substrate; selectively ion-implanting an expansion element in a first region of the substrate; selectively ion-implanting a compression element in a second region of the substrate; annealing to expand the first region and to compress the second region, wherein the expanded first region pushes up a first portion of the semiconductor layer and the compressed second region pulls down a second portion of the semiconductor layer; and forming an N type device on the first portion of the semiconductor layer; and forming a P type device on the second portion of the semiconductor layer.

Response to Arguments

Applicant's arguments filed 22 July 2004 have been fully considered but they are not persuasive. As stated above, Doyle et al. disclose the method of manufacturing a semiconductor device as described in claims 1-6.

In response to the applicant's arguments, the applicant argues prior art does not teach expanding or compressing any region in a substrate. However, Doyle et al. does disclose applying a tensile to expand a region of a substrate and applying a compressive stress to another region of the substrate (Fig. 2A & 2B; col. 3, lines 27-44). Applicant also argues prior art teaches forming voids in the substrate. However, claim 1 does not disclose the technique used to expand or compress regions of the substrate.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pamela E Perkins whose telephone number is (571) 272-1840. The examiner can normally be reached on Monday thru Friday, 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amir Zarabian can be reached on (571) 272-1852. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PEP



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